

August 1, 2005
Regular Session

Minutes

Members present

D.C. Swaim- Chairman
Brady Wooten- Vice- Chairman
Leon Casstevens- Commissioner
Kim Clark Phillips- Commissioner
Allen Sneed- Commissioner

Others Present

Cecil E. Wood- County Manager
Melinda Vestal-Clerk to the Board
James Graham- County Attorney

Chairman Swaim called the meeting to order. Commissioner Phillips had the invocation. The Board had the pledge of allegiance.

Public comments

Chairman Swaim asked for public comments. There were none.

Minutes

***Commissioner Wooten made the motion to approve the minutes with changes. Commissioner Phillips seconded. The Board voted 5-0.**

Emergency Management-report and public hearing

Eddie Weatherman, Fire Marshal, and Dale Trivette, Emergency Management Director, presented a power point presentation about the July 7th tornado that hit Yadkin County; the hardest hit area was Lone Hickory.

Commissioner Wooten thanked all the agencies who helped during this crisis.

Dale Trivette recognized Walter Smith, Agriculture and Jeff Higgins, Forestry who were instrumental in helping evaluate the areas hit.

Chairman Swaim stated he would like the Board to adopt a resolution supporting the efforts of all the emergency personnel who helped during the tornado.

***Commissioner Casstevens made the motion to adopt a resolution supporting all emergency personnel. Commissioner Sneed seconded. The Board voted 5-0.**

***Commissioner Wooten made a motion to set a public hearing for September 19th for the purpose of receiving comments on a proposed Hazard Mitigation Plan. Commissioner Casstevens seconded. The Board voted 5-0.**

Fire & Rescue- communications

Donald Hawks, President of Yadkin County Fire & Rescue, expressed concerns involving the emergency equipment. There are three fire districts still experiencing communication problems involving a lot of background noise from radio traffic. He asked several questions; will phase three by RCS correct our problems, is the county planning for the year 2011-2012 when wide-band will end, have there been any grants applied for from Homeland Security (several surrounding counties have received grants), and can the funds from E-911 be used?

Commissioner Phillips inquired about changing channels?

David Matthews, Communication Supervisor, stated they have met with RCS. EMS will move to the fire channel. We have other channels that could be utilized.

Commissioner Wooten stated we need to look at the best option to fix the problem.

Economic Development-report/update

Bobby Todd, Economic Director, updated the Board on economic activity in the county. He informed the Board that Yadkin Valley Pharmacy would be having a ribbon cutting ceremony today. There will be large motorcycle ride coming through the county in September and the Wine Festival will be October 22, both should generate revenue for the county.

Sheriff- jail and personnel

Sheriff Cain presented a request to surplus five handguns so they can be traded for new ones. He also asked that Major Swaim be awarded his badge and service weapon.

Sheriff Cain presented bids for the roof job at the jail. The lowest bid was from Pack's General Construction for \$18,185.18. The Sheriff stated the cost could be reduced if the Board waived the cost to take the debris to the landfill.

Mr. Wood stated either way the county would still have to pay because we pay to have c & d hauled off.

Commissioner Wooten asked the Sheriff if this money was in his budget?

Sheriff Cain stated no, this would be new money.

***Commissioner Casstevens made the motion to approve all three requests made by the Sheriff; surplus the handguns, award Major Swaim his badge and sell the service weapon for \$1.00 to the Major and the roof job at the jail. Commissioner Sneed seconded. The Board voted 5-0.**

Commissioner Sneed paid the \$1.00 for Major Swaim's service weapon.

***Commissioner Phillips made the motion to rehire the four SRO officers.**

Major Widener stated the salaries would be \$123,448 not including fringe.

Mr. Wood stated there had been money set aside for major appeals during reval, all of that has all been settled and the money can be added back to the revenues which would cover this request.

Commissioner Sneed seconded. The Board voted 4-1. Commissioner Wooten opposed.

Chairman Swaim called for break.

Planning and Zoning- resolution

RESOLUTION FOR REVIEW OFFICER

The Yadkin County Board of Commissioners (hereinafter the "Board"), in regular session assembled, makes the following findings and adopts the following resolution:

WHEREAS, the North Carolina General Assembly, Under Chapter 309 of the 1997 Session Laws amended Article 2 of Chapter 47 of the General Statutes by adding G.S. 47-30.2, titled "Review Officer", and

WHEREAS, G.S. 47-30.2 requires the board of commissioners of each county to adopt a resolution designating by name one or more persons experienced in mapping or land records management as a Review Officer to review each map and plat required to be submitted for review before the same is presented to the Register of Deeds for recording; and

WHEREAS, the Board desires to adopt this Resolution in order to comply with the provisions of said G.S. 47-30.2; and

WHEREAS, the Board further desires to establish certain procedures with regard to the review of maps and plats by Review Officers:

IT IS, "THEREFORE, RESOLVED, as follows:

1. The following persons are hereby named as Review Officers for

Yadkin County:

Kim Bates, Planning and Zoning Supervisor

Melanie Leleux, Planning Technician

2. Each map or plat required to be submitted for review prior to recording in the Office of the Register of Deeds shall be reviewed and certified by the above named Review Officer(s).

3. Each map or plat required to be submitted for review before the same is presented to the Office of the Register of Deeds for recording shall be delivered and presented to the above named Review Officer(s) at the Yadkin County Planning and Permits Building in Yadkinville, North Carolina.

The Review Officer(s) to whom a map or plat is delivered and presented for review shall maintain a record of the date of his or her receipt of said map or plat. Within five (5) days of said date, the Review Officer(s) as specified in paragraph 2 above shall complete his review and, if the map or plat complies with all statutory requirements for recording, shall certify the same. If said map or plat fails to comply with all statutory requirements for recording, the Review Officer(s) shall, within the above stated period of five (5) days, notify the person who delivered and presented the map or plat of such fact and shall indicate the statutory requirement(s) which were not met.

ADOPTED, this 1st day of August, 2005, by the Yadkin County Board of Commissioners in regular session assembled, upon motion of Commissioner Wooten seconded by Commissioner Phillips, and approved by a vote of 5 in favor and 0 against.

YADKIN COUNTY BOARD OF COMMISSIONERS

D.C. Swaim, Chairman

Melinda Vestal, Clerk

***Commissioner Wooten made the motion to approve the resolution with the change from 10 days to 5 days. Commissioner Phillips seconded. The Board voted 5-0.**

Social Services- board appointment

***Commissioner Wooten made the motion to reappoint Romie Flynn for a three year term to the Board of Social Services. Commissioner Sneed seconded. The Board voted 5-0.**

Elections- budget amendment

Dept: ELECTIONS

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Appropriated Fund Balance	1044000-49000	573,366.00	5,400.00	578,766.00
Elections/Data Processing	1054210-56023	2,000	5,400	7,400

To record the balance of the State Board of Elections Supplemental Technology Grant money that was recorded in 2004-2005. Grant was \$5,400.00. Grant was reported in 2004-2005 but was not used.

Dept: ELECTIONS

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Appropriated Fund Balance	1044000-49000	573,135.00	231.00	573,366.00
Postage	1054170-54250	2,500	231.00	2,731.00

To record the balance of the State Board of Elections List Maintenance Grant money that was recorded in 2004-2005. Grant was \$1,591.00 and \$1,360.00 was used in 2004-2005. The balance of \$231.00 is to be used in 2005-2006

***Commissioner Wooten made the motion to approve the budget amendments. Commissioner Sneed seconded. The Board voted 5-0.**

Water- Hwy 601

***Commissioner Wooten made the motion to allow Chairman Swaim to sign the agreements for the Hwy 601 Project. Commissioner Sneed seconded. The Board voted 5-0.**

EMS- grants

Brent Hawks presented a budget amendment accepting the \$30,000 grant for a regional server update.

Description	Account Number	Original Budget	Increase/(Decrease)	Amend
Date Processing Capital outlay	1054210-56024	\$5,000	\$30,0000	\$35,000
EMS HRSA Special Project Grant	1044330-42326	\$0	\$30,000	\$30,000

Budget amendment required for transfer of money for a regional server update as approved by the Board of Commissioners at the March 9, 2005 County Commissioners Meeting under the HRSA Grant, administered by the N.C. Office of Emergency Medical Services.

***Commissioner Wooten made the motion to approve the budget amendment. Commissioner Phillips seconded. The Board voted 5-0.**

Mr. Hawks informed the Board that waterlines have been installed for the EMS Station in Jonesville. He commended the Town of Jonesville and the Town of Yadkinville for their help in getting this done so quickly; everyone was very cooperative.

The Board discussed the well and the request made by Frankie Pardue to lease the well.

Mr. Wood stated the county has no contractual agreement to supply water to any of the mobile homes.

Mr. Hawks stated that the mobile homes have hooked on to the Jonesville water system.

Dot- road petition Westwood Road

***Commissioner Wooten made the motion to approve the road petition for Westwood Road. Commissioner Casstevens seconded. The Board voted 5-0.**

Chairman Swaim recognized Arnold Lakey, DOT Commissioner.

Citizen request- water

Frankie Pardue, Jonesville, has inquired about the well at the EMS Jonesville site. He is interested in leasing the well.

The Board discussed the lease and the land.

***Commissioner Wooten made the motion to allow Mr. Wood to talk with Mr. Pardue and have Attorney Graham write up an agreement releasing the county of all responsibilities. Mr. Wood will set a price for the lease. Commissioner Sneed seconded. The Board voted 5-0.**

Chairman Swaim stated Attorney Graham has requested a closed session to discuss legal matters.

Closed Session

***Commissioner Casstevens made the motion to go in closed session per G.S. 143-318.11 (a)(3), to consult with the attorney. Commissioner Sneed seconded. The Board voted 5-0.**

***Commissioner Wooten made the motion to come out of closed session. Commissioner Phillips seconded. The Board voted 5-0.**

Commissioner comments

Commissioner Casstevens stated he would like the county to look at purchasing a trailer like the one used as a command center during the tornado.

Commissioner Sneed stated Wiley Shore has a lot of contact with FEMA and they have these type trailers. He requested Mr. Wood contact Mr. Shore.

Chairman Swaim read a thank you card from Deborah Shore.

Commissioner Wooten inquired about vehicle taxes. Has Legislature passed a bill to collect taxes when the tags are purchased?

Mr. Wood stated it is being discussed; but no vote as of today.

Commissioner Wooten discussed the meeting with Tom Webb and possible water projects. He commented that developing I-77 and Hwy 421 would be very beneficial to the county. Yadkin County has been working with Arcadis but has not been very successful getting water and sewer to the area. ***Commissioner Wooten made the motion to employ Tom Webb to do an updated study which would include grant packages.** This is not an effort to kick Arcadis out, but Yadkin County has been

working on getting water to I-77/Hwy 421 for a long time. Commissioner Wooten suggested the county change its approach and move forward.

Commissioner Casstevens seconded with the clarification that Arcadis is not to proceed with grant applications.

Commissioner Phillips stated Arcadis has done what the county has asked of them. Yadkin County has a water plan dated 2004. Yadkin County can fill out the paperwork for a loan and Mr. Wood can check on possible grants. There is no reason for Yadkin County is put up \$50,000 when we have everything we need to proceed. Commissioner Phillips suggested working toward the September deadline. If we need Mr. Webb later, he could do a study on getting water from Pfafftown. Commissioner Phillips stated she does not want to pay for a study we already have, therefore she cannot support Commissioner Wooten's motion.

Commissioner Wooten stated Mr. Webb has a good tract record for obtaining grants. Commissioner Wooten commented he can't see borrowing 100% of the money when there are grants available.

Commissioner Phillips stated Mr. Wood has reviewed several water plans, so she would like his input on this matter.

Mr. Wood stated I-77/Hwy 421 has always been an area where water is needed and where the county could get a return on their investment. The county has enough information to apply for grants and loans. He too does not understand what additional information Mr. Webb could need or want.

Commissioner Wooten stated this would be a new, updated study focusing on needs and matching resources.

Mr. Wood stated the numbers are there. We have talked with the same people as Mr. Webb, so do we need to pay \$50,000 to obtain what we can do on our own?

Attorney Graham inquired about the additional \$100,000 and would the county have to pay this amount if a grant is awarded?

Commissioner Wooten stated yes. He commented the citizens of the county do not want to pay for loans, they want grants.

Commissioner Casstevens stated \$50,000 is a small fee to pay if Mr. Webb can get these grants.

Commissioner Sneed reviewed the maps drawn by Mr. Webb and how three miles can be cut off the route he has chosen to run waterlines. He also has an issue paying for plans twice.

The Board asked why has there not been anything done before now.

Mr. Wood stated previous Boards asked for the studies but never directed the next step.

Chairman Swaim stated Attorney Graham and Mr. Wood have been here longer than anyone else and have seen lots of studies with lots of money spent. Chairman Swaim stated that when the Board changes so does the direction. Yadkin County has a plan which is very workable. He suggested staying with current plan.

James Fennell, Boonville spoke encouraging the Board to take the current information and obtain funding for the projects; he felt it is important for the Board to take action.

The Board voted 2-3. Commissioners Sneed, Swaim and Phillips opposed.

The Board broke for lunch with Mr. Arnold Lakey.

The Board thanked Mr. Lakey for taking time out of his schedule to meet with them.

Chairman Swaim called the meeting back to order.

***Commissioner Phillips made the motion to proceed with water to the I-77/Hwy 421 area and apply for the loan and obtain any grants to offset the loan. Also use information from the fire departments and schools to help get the grants and loans. Commissioner Casstevens seconded.**

Commissioner Wooten emphasized obtaining grants for the project.

Mr. Wood stated he will come back to the Board with information on funding. He stated Arcadis will help the county apply for the funds.

The Board voted 5-0.

Commissioner Casstevens gave the following names for possible grant writers: Edith Davis, Valerie Zachary and Joan Holcomb.

Commissioner Phillips commended Major Raymond Swaim for 28 years of dedicated service to Yadkin County.

Commissioner Phillips asked about an update on the Grand Jury report.

Commissioner Phillips inquired about the meeting with Mick Staton.

Mr. Wood stated Mr. Staton's father passed away so he was giving him some time.

Commissioner Phillips inquired about the meeting with Jonesville.

Commissioner Phillips discussed the pay increase for Darlene Crater and the motion made for the budget. She commented that Ms. Crater received a seven step increase.

Commissioner Wooten stated there is an issue of understanding English. This has been discussed several times. He reviewed the timeline of Ms. Crater's employment with the county and the personnel policy's statements on reinstatements. Ms. Crater did not receive a pay increase; she was reinstated to the pay at which she had when she was rified. Commissioner Wooten stated the policy states "shall" which is a mandatory statement.

Commissioner Phillips stated other county employees see this as a pay increase and favoritism. Commissioner Phillips asked Attorney Graham for his legal opinion.

Attorney Graham stated it depends on how the March motion was worded. The July motion stated no pay grades, so the July motion would overrule the March motion.

Ms. Vestal read the March motion which clarified this was a reinstatement of pay.

Manager comments

Mr. Wood informed the Board of a request from East Bend Fire Department regarding reappointments to the North Carolina State Firemen's Relief Fund Board. Scott Bracken's and Kelly Speer's term on the Board have expired and they have requested they be reappointed.

***Commissioners Casstevens and Wooten made the motion to reappoint Scott Bracken and Kelly Speer to the North Carolina State Firemen's Relief Fund Board. Commissioner Sneed seconded. The Board voted 5-0.**

The Board discussed hours for the public at the animal shelter.

Mr. Wood presented a list of potential board members for appeals on vicious dogs.

Commissioner Wooten handed out information on a county leash law.

Attorney Graham handed out a report on delinquent taxes collected for July; \$11,808.96.

The Board recessed the meeting to BEPCO in Winston-Salem.

Adjournment

***Commissioner Wooten made the motion to adjourn. Commissioner Sneed seconded. The Board voted 5-0.**

